

UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT OF TENNESSEE

1:09-00009 (4)

U.S.A. vs. Christopher A. Smith

Docket No. 3:09CR04055-001

Petition for Action on Conditions of Pretrial Release

COMES NOW Angela Smith, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Christopher A. Smith who was placed under pretrial release supervision by the Hon. John S. Bryant, U.S. Magistrate Judge sitting in the Court at Nashville, Tennessee, on July 8, 2009, under the following conditions: Please reference page two of this document

Respectfully presenting petition for action of Court and for cause as follows:
Please reference page three of this document

I declare under penalty of perjury that the foregoing is true and correct.

Angela Smith Angela Smith Nashville, TN July 28, 2009
U.S. Pretrial Services Officer Place: Date:

Next Scheduled Court Event Not Scheduled
Event Date

PETITIONING THE COURT

No Action To issue an order setting a hearing on the petition
 To Issue a Warrant Other

THE COURT ORDERS:

No Action A Hearing on the Petition is set for
 The Issuance of a Warrant. Date Time
 Sealed Pending Warrant Execution
(cc: U.S. Probation and U.S. Marshals only)
 Other

Considered and ordered this 31st day
of July, 2009, and ordered filed
and made a part of the records in the above
case.

John Bryant
Honorable John S. Bryant
U.S. Magistrate Judge

Special Conditions of Release:

(7)

- (a) Report to Pretrial Services as directed;
- (e) Maintain or actively seek verifiable employment;
- (g) Surrender any passport to Pretrial Services;
- (h) Obtain no passport;
- (i) Travel is restricted to the Middle District of Tennessee without prior approval of pretrial services;
- (j) Avoid all contact, directly or indirectly, with any person who is or may become a victim or potential witness in the investigation or prosecution, including but not limited to any codefendants;
- (n) Refrain from possessing a firearm, destructive device, or other dangerous weapons;
- (o) Refrain from excessive use of alcohol;
- (p) Refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner;
- (q) Submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing;
- (r) Participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer, and refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing which is required as a condition of release;
- (u) Report as soon as possible, to the pretrial services office or supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop within 48 hours;
- (v) Permit pretrial services to visit you at home or elsewhere and permit confiscation of any contraband observed in plain view of the officer.

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On July 8, 2009, Christopher A. Smith appeared before Your Honor for a Detention Hearing pursuant to being charged with violating 21 U.S.C. § 841(a)(1) and 846; Conspiracy to Possess With the Intent to Distribute Methylenediosymethamphetamine (MDMA). He was released on that date on an unsecured bond with pretrial supervision under the conditions previously listed in this document.

Respectfully advising the Court of the defendant's non-compliance with the conditions of his release.

VIOLATIONS:

On July 9, 2009, the defendant reported to the U.S. Probation and Pretrial Services Office for an intake assessment and urine screen. The urine screen was presumptive positive for marijuana and amphetamines. The defendant admitted that he had used marijuana and methamphetamine approximately four days prior to the office visit. The specimen was sent to Kroll Laboratories, Gretna, Louisiana, for confirmation. On July 13, 2009, the results were received and was positive for marijuana metabolite and amphetamine.

Probation Officer's Actions:

This officer orally reprimanded the defendant and added risk control interventions to include Phase II of the Code A Phone Program, whereby a defendant calls the Probation/Pretrial Services Office daily to see whether he/she needs to report for a random urine screen. He was also referred to Centerstone, Madison, Tennessee, for an alcohol and drug intake and assessment.

Respectfully Petitioning the Court as Follows:

The U.S. Probation and Pretrial Services Office would respectfully request that no action be taken at this time as the defendant will begin outpatient substance abuse treatment as directed by Centerstone. Assistant U.S. Attorney Brent Hannafan has been contacted and concurs with this recommendation.

Approved: 
Paulette A. Allen
Supervising U.S. Probation Officer

cc: AUSA Brent Hannafan
Defense Counsel John Edward Rodgers, Jr.